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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,706	06/13/2001	Paul A. Voois	8X8S.247PA	5532

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EXAMINER
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NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/880,706

Applicant(s)

VOOIS ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

2. Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (U.S. Patent 6,785,379) in view of Kishinsky et al. (U.S. Patent 6,286,033).

Regarding claims 1 and 33-35 Rogers et al. teach a telephony private branch exchange (Fig. 1, PBX 104) routing arrangement adapted to route IP telephony data (col. 7, line 50 and 67 - "Voice calls over Internet" and "Internet voice") comprising: a call control (Fig. 1, Call Management Computer 101) is configured and programmed (col. 7, lines 55-58) to control the routing of calls; a device-control to provide telephony communication signals for the routed calls (col. 7, lines 19-21 and col. 7, line 60 through col. 8, line 9 - PBX 104 and PBX trunks 105); and a configuration manager (Fig. 1, computer management system 99) to provide configuration information for the call control and the device control. Rogers et al. do not teach the call control application is programmed using object oriented programming (OOP).

Kishinsky et al. teach the object oriented programming used in the CTI call center environment to control call routings (col. 2, lines 56-60).

OOP is old and well known in computer and telephony arts and is only one of several methods of programming. The advantages of OOP such as efficient and quick execution call control application are applicable in many systems including Rogers

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because it would improve significantly the efficiency of the called party's interaction with customers and assist the call management system provide real time handling of incoming calls.

Regarding claim 2, Rogers et al. teach the configuration manager provides configuration information or a telephony device communicatively coupled to the routing arrangement (col. 7, line 60 through col. 8, line 9).

Regarding claims 3, 4 and 12, Kishinsky et al. teach the JTAPI to interface with both local and remote applications (col. 9, lines 49-52).

Regarding claims 5 and 6, Rogers et al. teach the call management system 99 comprises PBX trunks 105 for providing voice or data connection to system users, workstations, or other devices (col. 7, lines 55-67) reads on claims "the call control application further includes a phonelet adapted to interface between the routing arrangement and a telephone user for controlling call routing to the user".

Regarding claim 7, Rogers et al. teach the call control application is adapted to route calls via an Internet protocol gateway (col. 7, lines 27-30).

Regarding claims 8-11, Rogers et al. teach the call control application adapted to communicate telephony device configuration selections between a user and the routing arrangement and monitor active calls (abstract, lines 5-12 and col. 7, lines 39-67); via an Internet browser, monitoring active calls and providing real time call monitoring (col. 7, line 63 through col. 8, line 4 and col. 8, line 64 through col. 9, line 11).

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Regarding claim 13 Rogers et al. teach a media development kit adapted to convert between logical data and telephony data (col. 8, lines 22-28 and col. 17, lines 36-55).

Regarding claims 14 and 15, Rogers et al. teach a protocol handler coupled to a media development kit and provides an interface to an IP digital telephone interface (Fig. 2, col. 7, lines 19-33 and col. 17, lines 9-19).

Regarding claim 16, Rogers et al. teach the device control application is adapted to provide telephony communication signals including alerting and digit signals (col. 9, lines 2-11).

Regarding claims 17 and 18, Rogers et al. teach authenticating callers by prompting caller for PIN or other entries and handling the call according to appropriate VIP rules (col. 25, lines 1-55). However, Rogers et al. do not teach the configuration manager is adapted to edit the configuration information in response to a user request and permit user editing based upon an access code provided by the user based upon the security level associated with the user access code. It would have been obvious to one of ordinary skill in the art to incorporate the feature of allowing user to customize his/her message in order to have a user friendly and flexible system.

Regarding claims 19-21, Kishinsky et al. teach any type of object oriented script may be expressed as a form of XML for transportation over a DPN reads on claimed the configuration manager is adapted to store configuration data in the form of enterprise java beans.

Claim 22 is rejected for the same reasons as discussed above with respect to claims 10 and 17.

Claim 23 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Rogers et al. teach a plurality of communications stations communicatively coupled to each other (Figure 1); a computer server comprising core configuration data (Fig. 1, computer management system 99).

Regarding claims 24 and 25, Rogers et al. teach at least one of the plurality of communications stations includes a user interface / a computer (Fig. 1, 114a-114n). Claim 25 recites the plurality of communications stations includes **at least one of:** an analog telephone coupled to an analog-to-IP converter, a wireless station, an Internet interface station, a computer,... Examiner rejects claim 25 as the plurality of communications stations includes a user interface / a computer (Fig. 1, 114a-114n).

Regarding claims 26 and 27, Kishinsky et al. teach a combination of internal OOP program instructions and OOP program instructions received from an external source wherein OOP program instructions are provided by a user at one of the plurality of communications stations (7-21).

Regarding claims 28 and 41, Rogers et al. teach sending telephony data includes sending voice data (col. 7, lines 37-54).

Regarding claims 29 and 42, Rogers et al. teach routing telephony data via a PSTN (Fig. 1 and col. 7, lines 15-67).

Claims 30, 31, 43 and 44 are rejected for the same reasons as discussed above with respect to claim 18. However, Rogers et al. do not teach determining a relationship

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between a call source and destination having a pre-selected telephony rate application and applying the rate to the communication. Pre-selected telephony rate application and assigning a fee for the communication is old and well known. Motivation for using pre-selected rates is to have consistent and many times cheaper charges. It would have been obvious because this motivation exists in any telephony system where calls must be billed.

Regarding claim 32, Rogers et al. teach the communications stations are communicatively coupled via a PSTN (Fig. 1, PSTN 100).

Regarding claim 36, Rogers et al. teach providing a router adapted to be used at a telephone service provider for controlling telephone calls to a plurality of subscribers (col. 7, lines 15-33).

Regarding claim 37, Rogers et al. do not explicitly teach assigning a telephone number to a selected IP telephony address. It would have been obvious (if not inherent) to do so because if the call management computer 101 configured voice calls and data over Internet, it would be necessary to assigning a telephone number to a selected IP telephony address.

Regarding claim 38, Rogers et al. teach providing call control configuration information for controlling at least one of: call conferencing, voicemail (col. 13, lines 50-67).

Regarding claims 39 and 40, Rogers et al. teach prompting a user for an input and wherein providing configuration information includes providing information in response to the prompt (col. 37, lines 3-12). The advantage of prompting the user for

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an input and responding to the prompt is well known. For example, prompting the user and allow him or her to select the desire alternate destination for routing a telephone call.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen  
October 28, 2004

**HECTOR A. AGDEPPA**  
**PATENT EXAMINER**  
